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June 18, 2021

**By ECF**

Hon. Lorna G. Schofield  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: Ventura v. Mitchell**  
**21-cv-3477 (LGS)(JLC)**

Dear Judge Schofield:

We represent the plaintiff in this diversity personal injury action. The Court has scheduled an initial conference for July 1, 2021 (Doc. 6).

To date the defendant, who lives in Florida, has not appeared. As set forth in my efiled declaration (Doc. 7), defendant was sent a Notice of Lawsuit with Request to Waive Service, pursuant to Fed. R. Civ. P. 4(d)(1). When we did not receive a signed waiver, we dispatched the Sheriff's office in Palm Beach County, Florida, to serve process.

The Sheriff has now advised that the defendant was personally served on June 14, 2021, and is currently preparing an affidavit of service.

Accordingly, we respectfully request that the conference be adjourned for 30 days. Hopefully by then the defendant will appear and a joint Proposed Civil Case Management Plan can be submitted as required by the Court's order. No prior request has been made.

We thank the Court for its consideration of this application.

The application is **GRANTED**. The initial conference scheduled for July 1, 2021 at 10:30 A.M. is hereby adjourned to **August 5, 2021, at 10:30 A.M.** The parties shall call (888) 363-4749 and use Access Code 558-3333. The time of the conference is approximate, but the parties shall be ready to proceed at that time. By **July 29, 2021**, the parties shall file their joint letter and proposed CMP.


Respectfully,



David Tolchin

SO ORDERED.

Dated: June 21, 2021  
New York, New York



LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE